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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 vs.
11 JAN ROUVEN FUECHTENER,
12 Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH

**STIPULATION TO CONTINUE
SENTENCING HEARING AND
RESPONSE DEADLINES**

13 IT IS HEREBY STIPULATED AND AGREED, by and between Elham Roohani and Lisa
14 C. Cartier-Giroux, Assistant United States Attorneys, counsel for the United States of America, and
15 Karen A. Connolly, counsel for Defendant JAN ROUVEN FUECHTENER, that the sentencing
16 hearing currently scheduled for August 18, 2017, at the hour of 9:00a.m., be vacated and continued
17 for approximately 21 days.

18 This Stipulation is entered into for the following reasons:

- 19 1. The parties agree to the continuance for the following reasons: The Government
20 needs more time to respond to Defendant's Motion to Withdraw Plea since Honorable Gloria
21 Navarro recently signed the waiver of the attorney client privilege on July 20, 2017; Ben
22 Durham, one of Rouven's prior attorneys, is out of town until August; and Karen A.
23 Connolly, attorney for Defendant is out of the jurisdiction from July 28 - August 14, 2017.
- 24 2. The additional time requested herein is not sought for purposes of delay.
- 25 3. Additionally, denial of this request for continuance could result in a miscarriage of
justice.

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1 4. This is the fourth request to continue the sentencing date and response deadlines.

2 DATED this 26th day of July, 2017.

3 KAREN A. CONNOLLY, LTD.

DANIEL G. BOGDEN
United States of America

5 /s/ Karen A. Connolly
6 KAREN A. CONNOLLY
Counsel for Jan Rouven Fuechtener

5 /s/ Elham Roohani
6 ELHAM ROOHANI
7 LISA C. CARTIER-GIROUX
8 Assistant United States Attorneys
9 Counsel for Plaintiff

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JAN ROUVEN FUECHTENER,

Defendant.

CASE NO.: 2:16-cr-100-GMN-CWH

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties agree to the continuance for the following reasons: The Government needs more time to respond to Defendant's Motion to Withdraw Plea since Honorable Gloria Navarro recently signed the waiver of the attorney client privilege on July 20, 2017; Ben Durham, one of Rouven's prior attorneys, is out of town until August; and Karen A. Connolly, attorney for Defendant is out of the jurisdiction from July 28 - August 14, 2017.
 2. The additional time requested herein is not sought for purposes of delay.
 3. Additionally, denial of this request for continuance could result in a miscarriage of justice.
 4. This is the third request to continue the sentencing date.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing and response deadlines.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

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The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled for August 18, 2017, at the hour of 9:00 a.m., be vacated and set continued to September 29, 2017 at the hour of 11:00 a.m.

8 IT IS THEREFORE ORDERED that the response to Defendant's Motion to Withdraw Plea
9 is due August 11, 2017, and Defendant's reply is due August 18, 2017.

10 DATED this 3 day of August, 2017.

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UNITED STATES DISTRICT JUDGE

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